

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Valérie DE LA POTERIE	)	Group Art Unit: 1615
	)	
Application No. 10/821,919	)	Examiner: Venkat, Jyothsna A.
	)	
Filed: April 12, 2004	)	
	)	
For: COSMETIC COMPOSITION	)	Confirmation No. 2430
HAVING A CERTAIN THERMAL	)	
PROFILE	)	

**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-145

**VIA EFS WEB**

Sir:

**AMENDMENT AND SUBMISSION UNDER 37 C.F.R. § 1.114**

In response to the Final Office Action mailed August 11, 2008, and further to the Notice of Appeal filed on February 10, 2009, Applicant respectfully requests reconsideration of the above-identified application in view of the amendments and remarks below. This Amendment is being filed concurrently with a Request for Continued Examination and qualifies as a Submission under 37 C.F.R. § 1.114.

**Amendments to the Claims** are reflected in the listing of claims in this paper.

**Remarks** follow the amendment section of this paper.

**Attachments:** Declaration under 37 C.F.R. § 1.132 of Nathalie Jager Lezer.

*In re Napier*, 34 USPQ2d 1782 (Fed. Cir. 1995)

*In re Grasselli*, 218 USPQ 769 (Fed. Cir. 1983).